

## **REMARKS**

Claims 13-37 were pending in the application at the time of the Office Action. Claims 31-36 were rejected under 35 U.S.C. 102. Claim 37 was rejected under 35 U.S.C. 103. By this response, Applicant has cancelled claims 31-37 with out prejudice or disclaimer<sup>1</sup> to place the claims allowable form. Entry of the claim amendments is respectfully requested. As such, claims 13-30 are presented for the Examiner's consideration in light of the following remarks.

### **A. Rejection on the Merits**

Claims 31-36 were rejected under 35 U.S.C. 102(e) by Wotering et al. (US Patent No. 6,665,677 B1).

Claim 37 were rejected under 35 U.S.C. 103(a) over Wotring et al. (US patent No. 6,665,677 B1) in view of Sasaki et al. (US Patent No. 5,774,583).

Applicant respectfully submits that cancellation of claims 31-37 renders the anticipation and/or obviousness rejections to claims 31-37 as moot.

### **B. Allowed Subject Matter**

On Page 7 of the Office Action, the Examiner indicated allowance of claims 13-30. The Examiner's allowance of claims 13-30 is appreciated. The Applicant wishes to thank the Examiner for the careful review and allowance of those claims.

The Applicant submits the following comments concerning the Examiner's statements of reasons for the indication of allowable subject matter in the Office Action. Applicant agrees with the Examiner that claims 13-30 are patentable over the prior art, but respectfully disagrees with the Examiner's statement of reasons for allowance as set forth in Office Action. Applicant submits that it is the claim as a whole, rather than any particular element, that makes each of the claims allowable. No single element should be construed as the reason for allowance of a claim because it is each of the elements of the claim that makes it allowable. Therefore, Applicant does not concede that the reasons for allowable subject matter given by the Examiner are the

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<sup>1</sup> Applicant reserves the right to prosecute any cancelled claim in a subsequent divisional or continuation application.

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Reply to Office Action mailed August 7, 2008

only reasons that make, or would make, the claims allowable and do not make any admission or concession concerning the Examiner's statement in the Office Action.

**C. Conclusion**

In summary, claims 13-30 are now pending in view of the above amendments, and all are patentably distinct from the prior art. Allowance of each of these claims is respectfully requested. In view of the foregoing, Applicants believe the claims as amended are in allowable form. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 26<sup>th</sup> day of August, 2008.

Respectfully submitted,

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